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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,270	10/17/2001	Anders Vinberg	063170.7002	7992
5073	7590	03/21/2006	EXAMINER	
BAKER BOTTS L.L.P.			YANG, RYAN R	
2001 ROSS AVENUE				
SUITE 600			ART UNIT	PAPER NUMBER
DALLAS, TX 75201-2980			2672	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/982,270	VINBERG, ANDERS	
	Examiner	Art Unit	
	Ryan R. Yang	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 05 January 2006.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) Claim(s) _____ is/are allowed.
6) Claim(s) 1-19 is/are rejected.
7) Claim(s) _____ is/are objected to.
8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/5/2005 has been entered.
2. This action is responsive to communications: Amendment, filed on 12/5/2005. This action is non-final.
3. Claims 1-19 are pending in this application. Claims 1, 8 and 12-17 are independent claims. In the Amendment, filed on 12/5/2005, claims 1, 5, 8-17 were amended, and claims 18-19 were added.
4. This application is a Continuation-in-part of application No. 09/949,101. This application claims Provisional application No. 60/241,049 filed 10/17/2000, and Provisional application No. 60/241,051 filed 10/17/2000.
5. The present title of the invention is "Method and apparatus for displaying 3-D state indicators" as filed originally.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 8 and 12-17 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: it is not clear the relationship between the icons and the status indicators.

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
8. Claims 1-2, 4-5, 12, 14, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Planas et al. (6,112,015), hereinafter Planas and further in view of MacPhail et al. (6,661,434), hereinafter MacPhail.

As per claim 1, Planas discloses a method for presenting a status of an object in a graphic display, comprising:

displaying a plurality of icons, wherein:

the icons are associated with a plurality of objects (Figure 4b where 66-68, 70, 72-76 and 79-82 are icons associated with respective nodes); and

the icons are arranged according to locations of the associated objects as deployed in a network (Figure 4b where icons are arranged according to respective nodes).

Planas discloses a method of presenting a status of an object. It is noted that Planas does not explicitly disclose "determining a value of a property associated with a particular object; generating a status indicator representing the determined value; and

displaying the status indicator, however, this is known in the art as taught by MacPhail. MacPhail discloses a status displaying method in which a value relating to the object property is iconic displayed (Figure 3c and column 9, line 11-20).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of MacPhail into Planas because Planas discloses using icon to indicate a status of object in a network and MacPhail discloses the icon used in indicating status of an object can represent value in order to more precisely indicate a state.

9. As per claim 2, Planas and MacPhail demonstrated all the elements as applied to the rejection of independent claim 1, *supra*, and Planas further discloses the status indicator has a translucent quality (column 6, line 60-67).

10. As per claim 4, Planas and MacPhail demonstrated all the elements as applied to the rejection of independent claim 1, *supra*, and MacPhail further discloses the status indicator is depicted as a bar (Figure 3C where the icon is considered a bar).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of MacPhail into Planas because Planas discloses using icon to indicate a status of object in a network and MacPhail discloses the icon used in indicating status of an object can represent value in order to more precisely indicate a state.

11. As per claim 5, Planas and MacPhail demonstrated all the elements as applied to the rejection of claim 4, *supra*, and MacPhail further discloses at least one dimension of the bar represents the value of the property (Figure 3c where each of the bar represent a value of the property).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of MacPhail into Planas because Planas discloses using icon to indicate a status of object in a network and MacPhail discloses the icon used in indicating status of an object can represent value in order to more precisely indicate a state.

12. As per claim 6, Planas and MacPhail demonstrated all the elements as applied to the rejection of independent claim 1, *supra*, and MacPhail further discloses the status indicator is depicted as a quantitative indicator (Figure 3c where the bar graph is a quantitative indicator and can also be considered as a gauge).

13. As per claim 7, Planas and MacPhail demonstrated all the elements as applied to the rejection of independent claim 1, *supra*, and MacPhail further discloses the quantitative indicator is a gauge (Figure 3c where the bar graph is a quantitative indicator and can also be considered as a gauge).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of MacPhail into Planas because Planas discloses using icon to indicate a status of object in a network and MacPhail discloses the icon used in indicating status of an object can represent value in order to more precisely indicate a state.

14. Claims 12, 14 and 16 claim an apparatus or software with similar limitations as claim 1, therefore are similarly rejected as claim 1.

15. As per claim 18, Planas and MacPhail demonstrated all the elements as applied to the rejection of independent claim 1, *supra*, and Planas further discloses displaying lines between the icons, the lines representing network links (Figure 21c);

determining a status associated with a particular network link (Figure 21c where red dashed line or green beveled or yellow beveled line represent status of the link); and

modifying the displayed line associated with the particular network link, the modification based at least in part on the determined status (Figure 21c where the displayed link represent the status of the link).

16. Claims 8-11, 13, 15, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Planas et al. and further in view of Jamieson et al. (US 6,577,323).

As per claim 8, Planas discloses a method for presenting a user selected status of an object in a graphic display, comprising:

displaying a plurality of icons, wherein:

the icons are associated with a plurality of objects (Figure 4b where 66-68, 70, 72-76 and 79-82 are icons associated with respective nodes); and

the icons are arranged according to locations of the associated objects as deployed in a network (Figure 4b where icons are arranged according to respective nodes).

Planas discloses a method of presenting the status of an object. It is noted that Planas does not disclose the rest of the claim limitations. However, this is known in the art as taught by Jamieson et al, hereinafter Jamieson discloses a method of presenting a property of an object in which

receiving a request to select a property of a particular object for display ("The algorithm is capable of visually coding other types of information (e.g., deviation from

predicted values, **selection of a variable**, and unanticipated state change) and supports navigation for the graphical user interface 50", column 14, line 22-25); displaying at least one property associated with the particular object; receiving a selection of a property (Figure 5A, where each component 161-164 is a property of the plant); determining a value of the selected property (Figure 5A, the Trend shape element 176 displays the value of selected element); generating a status indicator based on the value of the selected property (Figure 5A, the Trend shape element 176 displays the status of selected property); and displaying the status indicator (Figure 5A, where the status indicator is relative to the object).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Jamieson into Planas because Planas discloses a method of presenting the status of an object and Jamieson discloses the property to be displayed is selectable in order not to clutter the display area.

17. As per claim 9, Planas and Jamieson demonstrated all the elements as applied to the rejection of claim 8, *supra*, and Jamieson further discloses the step of generating includes automatically determining the form of the status indicator ("The scale 282 of the process variable gauge 280 automatically adjusts to ensure that the data of the gauge is displayed in a meaningful context", column 20, line 41-43).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Jamieson into Planas because Planas discloses a method of

presenting the status of an object and Jamieson discloses the property to be displayed is selectable in order not to clutter the display area.

18. As per claim 10, Planas and Jamieson demonstrated all the elements as applied to the rejection of claim 8, *supra*, and Jamieson further discloses receiving a selection from the user determining the form of the status indicator (“If there is more than one controller available, a pull-down menu button may be used to allow the user to select from a list of other names. Below these items are controller modes 153 and status indication 155. For example, the status indications may include indications such as optimizing, handling constraints, etc. The user can select, such as with use of a pull-down menu, a controller mode 153 such as on, off, warm, etc. The mode may change as a function of the controller condition”, column 13, line 29-47).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Jamieson into Planas because Planas discloses a method of presenting the status of an object and Jamieson discloses the property to be displayed is selectable in order not to clutter the display area.

19. As per claim 11, Planas and Jamieson demonstrated all the elements as applied to the rejection of claim 8, *supra*, and Planas further discloses the form of the status indicator is a bar graph (Figure 3c).

20. Claims 13, 15 and 17 claim an apparatus or software with similar limitations as claim 8 and therefore are similarly rejected as claim 8.

21. Claim 19 claims an apparatus with similar limitations as claim 18 and therefore is similarly rejected as claim 18.

22. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Planas et al. as applied to claim 1 above, and further in view of Griffiths et al. (4,937,037).

23. As per claim 3, Planas demonstrated all the elements as applied to the rejection of independent claim 1, *supra*.

Planas discloses a method of presenting a status of an object. It is noted that Planas does not explicitly disclose the status indicator has a reflective quality, however, this is known in the art as taught by Griffiths et al., hereinafter Griffiths. Griffiths discloses a method of presenting data in which "in a reflective cell the states represent reflective and non-reflective areas such that incident light falling on the screen is selectively reflected to provide a pattern of light and dark areas which can be visually distinguished by an observer" (column 3, line 36-40).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Griffiths into Planas because Planas discloses a method of presenting a status of an object and Griffiths discloses the displayed object can be reflective in order for it to be easily distinguished by an observer.

Response to Arguments

24. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Inquiries

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan R. Yang whose telephone number is (571) 272-7666. The examiner can normally be reached on M-F 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ryan Yang
Primary Examiner
March 16, 2006